

## **REMARKS**

### **Status of the Claims.**

Claims 1059, 94-151, and 232-241 are pending with entry of this amendment, no claims being cancelled and no claims being added herein. Claims 45, 151, and 232 are amended herein. These amendments introduce no new matter. Support is replete throughout the specification and in the claims as originally filed.

### **Information Disclosure Statement.**

Applicants note with appreciation the Examiner's thorough consideration of the references cited in the Information Disclosure Statement (Form 1449) submitted on April 9, 2003.

### **35 U.S.C. §112, Second Paragraph.**

Claims 232-243 were rejected under 35 U.S.C. §112, second paragraph, as allegedly indefinite because they depend on the canceled claim 172. Claims 232 and 243 are amended herein to recite claims 1 and 116 thereby obviating this rejection.

### **Obviousness-Type Double Patenting.**

Claims 94 and 97 were rejected under the judicially created doctrine of obviousness-type double patenting in light of claims 1, 43, and 50 of U.S. Patent 6,657,884. A Terminal Disclaimer is presently being executed and will be submitted shortly thereby obviating this rejection.

Claim 94 was provisionally rejected under the judicially created doctrine of obviousness-type double patenting in light of claims 1, 28, 29, and 31 of copending Application NO: 10/053,814. Claim 97 was provisionally rejected under the judicially created doctrine of obviousness-type double patenting in light of claims 1, 28-29, 57, 60-62, and 86 of copending Application NO: 10/053,814. As these are **provisional** obviousness-type double patenting rejections, no action is required at this time.

### **Allowable Subject Matter.**

Applicants note with appreciation the Examiner's indication that claims 1-59, 95-96, and 98-151 are allowed. Applicants also note claims 232-241 were only rejected for allegedly being dependent on the canceled claim 172. As the dependency of claims 232-241 has been altered, Applicants believe these claims are allowable as well.

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If a telephone conference would expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (510) 769-3513.

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Respectfully submitted,



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